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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	Criminal No. CR 08-0778 MMC
	)	
Plaintiff,	)	
	)	
v.	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER CONTINUING HEARING AND
ALEJANDRO LOPEZ-RESENDIZ	)	EXCLUDING TIME
	)	
Defendant.	)	
	)	

The parties agree to continue the hearing in the above-captioned matter from February 18, 2009 at 2:30 p.m. until March 4, 2009 at 2:30 p.m. or as soon thereafter as the matter may be heard. The continuance is necessary to allow the parties to continue settlement discussions and allow counsel additional time for effective preparation of the case.

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STIPULATION AND ORDER CONTINUING  
HEARING AND EXCLUDING TIME  
*United States v. Lopez-Resendiz*  
CR 08-0778 MMC

1 For the foregoing reasons, the parties agree to the stated continuance and request that  
2 time be excluded pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161, based upon the need for  
3 effective preparation.

4 IT IS SO STIPULATED.

5 DATED: February 3, 2009

/s/  
RONALD TYLER  
Counsel for Alejandro Lopez-Resendiz

8 DATED: February 3, 2009

/s/  
JEANE HAMILTON  
Special Assistant United States Attorney

**ORDER**

The Court finds as follows:

The ends of justice are served by granting the requested continuance, given that failure to do so would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would unreasonably deny the defendant continuity of counsel.

The aforementioned ends of justice outweigh the best interest of the public and the defendant in a speedy trial.

Accordingly, this matter is continued until March 4, 2009. Pursuant to the Speedy Trial Act, Title 18 United States Code §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv), the period from February 18 ~~February 13~~, 2009 until March 4, 2009 is excluded in computing the time in which the trial of this matter must commence.

IT IS SO ORDERED.

DATED: February 5, 2009

  
THE HON. MAXINE M. CHENEY  
United States District Court Judge